

ADMINISTRATOR'S STATEMENT
82nd Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **551**

Agency name: **Department of Agriculture**

The mission of the Texas Department of Agriculture (TDA) is to partner with all Texans to make Texas the nation's leader in agriculture, fortify our economy, empower rural communities, promote healthy lifestyles, and cultivate winning strategies for rural, suburban and urban Texas through exceptional service and the common threads of agriculture in our daily lives. Like the agriculture industry, TDA's mission is diverse yet targeted to meet the unique challenges facing today's agriculture industry and the state as a whole. Every Texan experiences the rewards of an affordable, dependable supply of food, fiber and fuel provided by Texas agriculture producers; and every Texan reaps the benefits of services performed by TDA.

Much like our state's farmers and ranchers, TDA has a tradition of approaching our responsibilities in the most efficient and effective way possible. The agency's FY 2012/2013 Legislative Appropriation Request (LAR) takes no exception to this rule. TDA's LAR represents strategic reductions as instructed by the Legislative Budget Board (LBB) without reducing many of the agency's most critical functions. This request also comes on the heels of a successful Sunset Review. As a result, the programs and functions funded by this request have recently been scrutinized and approved by the 81st Texas Legislature.

Significant Changes in Policy and Provision of Service

Since the 2006/2007 biennium, the Legislature has assigned responsibility to TDA for more than 28 substantial and new programs. With these responsibilities came an increase in appropriated personnel of 32%, of which TDA placed more than half in the field. Even with this change, TDA has maintained one of the lowest ratios of administrative costs to total expenditures at 2.6%. Additionally, some of the new programs had challenges which existed prior to the transfer to TDA. TDA has implemented numerous improvements to these programs and has increased program accountability and responsiveness to the constituents.

New Funding Request

TDA is not proposing new funding requests in this LAR.

Agency Process for 10% Biennial Budget Reduction Options

It is expected that the majority of reductions would come from internal TDA administration - a mixture of fleet, utility, rent, consumables and other routine expenditures that could not be continued at existing levels if the Legislature reduces TDA's General Revenue appropriation. These reductions would have significant impact on operational capabilities. As an example, TDA would contemplate the closure of certain sub-offices and a lab. It is anticipated that a hiring freeze will continue into 2012-2013. TDA will work with the Legislature to make adjustments necessary in order to mitigate the impact of any reduced appropriations on its constituents.

American Recovery and Reinvestment Act of 2009 Funding

All ARRA funding appropriated to TDA in the Texas General Appropriations Act of 2009 were intended to be one-time funding.

Statutory Authority to conduct Background Checks and Agency Policy

TDA has a criminal background check policy. The purpose of the policy is to establish guidelines for conducting criminal background checks on prospective employees; applicants of specific license types administered by TDA; and to comply with state law. The Texas Department of Public Safety (DPS) Crime Records Service (CRS) approves all TDA CRS users. CRS Criminal Background Checks are allowed only:

- On prospective employees who are under final consideration, following normal screening and selection process;
- Prior to the approval of specific license types administered by TDA within the Pesticide and Regulatory Programs, most commonly performed on applicants for Structural Pest Control licenses;

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- On persons who have provided TDA with an appropriate release to allow a criminal history check to be conducted; and
- When reasonable suspicion exists and a background check is deemed necessary by the Ethics Officer in order to ensure compliance with TDA policy or regulation.

Criminal background information may disqualify an applicant from TDA affiliation or deny issuance of a license.

Statutory authority to conduct background checks are provide as follows:

- Texas Agriculture Code, Section 12.048 – Authorizes the agency to obtain criminal history record information maintained by DPS.
- Government Code, Sections 411.122 and 411.1405 – Authorizes the agency to obtain criminal history record information through the Federal Bureau of Investigation as provided by Section 411.087 of the Government Code.